

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA

v.

GARRY LEBRON HAYES

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1:24-mj- 308

Magistrate Judge Steger

MOTION TO SEAL
CRIMINAL COMPLAINT, AFFIDAVIT, AND ARREST WARRANT

Comes now the United States of America by and through Francis M. Hamilton III, United States Attorney for the Eastern District of Tennessee, and Joseph G. DeGaetano, Assistant United States Attorney, and respectfully requests that the attached criminal complaint, affidavit, arrest warrant, and this motion to seal and order be sealed for the following reasons:

These documents discuss an ongoing criminal investigation that is neither public nor fully known to the target of the investigation. As discussed in further detail in the affidavit in support of the complaint, the target has made death threats to others and has expressed a willingness to die defending himself if the police come to arrest him. In addition, the affidavit contains inculpatory statements from a witness whom the target has threatened in the past, and the affidavit contains information about the target's mental health. Accordingly, there is good cause to seal these documents because their disclosure may give the target an opportunity to harm himself or witnesses and/or to prepare to harm law enforcement, to destroy or tamper with evidence, or to change patterns of behavior, and otherwise may seriously jeopardize the investigation or publish information about the target's mental health.

WHEREFORE, the United States of America respectfully requests that this motion, criminal complaint, affidavit, arrest warrant, and ensuing order be sealed until such time as said defendant is arrested and the Court orders unsealing. The United States further requests that the sealing order permit disclosure of these documents to law enforcement officials participating in the arrest of the defendant and to the defendant after arrest.

Respectfully submitted,

FRANCIS M. HAMILTON, III
UNITED STATES ATTORNEY

By: s/Joseph G. DeGaetano
Joseph G. DeGaetano BPR #21448
Assistant United States Attorney
1110 Market Street, Suite 515
Chattanooga, TN 37402
Joseph.DeGaetano@usdoj.gov
(423) 752-5140